

**RECEIVED  
CENTRAL FAX CENTER**

FEB 02 2005

**LACASSE & ASSOCIATES**

PROFESSIONAL PATENT SERVICES

1725 Duke Street, Suite 650

Alexandria, Virginia 22314

Phone (703) 838-7683/Facsimile (703) 838-7684

E-Mail: patserv@lacasse-patents.com

**CONFIDENTIAL  
FACSIMILE TRANSMITTAL SHEET**DATE SENT: February 2, 2005**DELIVER TO:**

Name: Examiner D. Tran  
Company: USPTO / GAU 2633  
Phone No: 703-305-0932  
Fax No: 703-872-9306

FROM: Randy W. LacasseYOUR FILE: 09/898,379

THERE WILL BE A TOTAL OF 16 PAGE(S) INCLUDING THIS COVER SHEET.  
OUR FACSIMILE MACHINE COMMUNICATES WITH ALL GROUP III, II AND FM6  
MACHINES.

**NOTICE:** The documents transmitted by this facsimile are intended for the use of the individual or the entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of the message is not the intended recipient, or the employee, or agent responsible for delivering this document to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original facsimile to us at the above address via the Postal Service.

Applicant: George KovarSerial No: 09/898,379Filing Date: 07/05/2001Title: Optical Modulator and Method for Polarization Bit Interleaving

- ☒ TRANSMITTAL FORM  
☒ FEE TRANSMITTAL (IN DUPLICATE)  
☒ PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY  
☒ AMENDMENT

PTO/SB/21 (04-04)

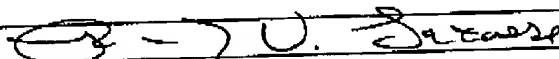
Approved for use through 07/31/2006, OMB 0851-0031

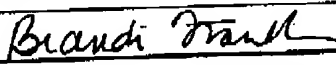
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/898,379
	Filing Date	07/05/2001
	First Named Inventor	Kovar, George
	Art Unit	2633
	Examiner Name	D. Tran
Total Number of Pages in This Submission	Attorney Docket Number	10-342

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Lacasse & Associates, LLC
Signature	
Date	February 2, 2005

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Brandi Franklin	Date	February 2, 2005
Signature			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


In you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0851-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005		Complete if Known																																																																																																																					
Effective 10/01/2003. Patent fees are subject to annual revision.		Application Number	09/898,379																																																																																																																				
		Filing Date	07/05/2001																																																																																																																				
		First Named Inventor	George Kovar																																																																																																																				
		Examiner Name	D. Tran																																																																																																																				
		Art Unit	2633																																																																																																																				
		Attorney Docket No.	10-342																																																																																																																				
<input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27																																																																																																																							
TOTAL AMOUNT OF PAYMENT (\$)		500.00																																																																																																																					
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																					
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account		<b>3. ADDITIONAL FEES</b> <table border="1" style="width: 100%; font-size: 0.8em;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051 65 Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052 25 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053 130 Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812 2,520 For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804 920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805 1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1261</td><td>110</td><td>2251 55 Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>430</td><td>2252 215 Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>980</td><td>2253 490 Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,530</td><td>2254 765 Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,080</td><td>2255 1,040 Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>340</td><td>2401 170 Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>340</td><td>2402 170 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>300</td><td>2403 160 Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451 1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>500</td><td>2452 250 Petition to revive - unavoidable</td><td>500</td></tr> <tr><td>1453</td><td>1,370</td><td>2453 685 Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1400</td><td>2501 700 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>490</td><td>2502 246 Design issue fee</td><td></td></tr> <tr><td>1503</td><td>660</td><td>2503 330 Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460 130 Petitions to the Commissioner</td><td></td></tr> <tr><td>1504</td><td>300</td><td>1504 300 Publication fee for early, voluntary, or normal publication</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806 180 Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021 40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>790</td><td>2809 395 Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>790</td><td>2810 395 For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>790</td><td>2801 395 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802 900 Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1051	130	2051 65 Surcharge - late filing fee or oath		1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet		1053	130	1053 130 Non-English specification		1812	2,520	1812 2,520 For filing a request for ex parte reexamination		1804	920*	1804 920* Requesting publication of SIR prior to Examiner action		1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action		1261	110	2251 55 Extension for reply within first month		1252	430	2252 215 Extension for reply within second month		1253	980	2253 490 Extension for reply within third month		1254	1,530	2254 765 Extension for reply within fourth month		1255	2,080	2255 1,040 Extension for reply within fifth month		1401	340	2401 170 Notice of Appeal		1402	340	2402 170 Filing a brief in support of an appeal		1403	300	2403 160 Request for oral hearing		1451	1,510	1451 1,510 Petition to institute a public use proceeding		1452	500	2452 250 Petition to revive - unavoidable	500	1453	1,370	2453 685 Petition to revive - unintentional		1501	1400	2501 700 Utility issue fee (or reissue)		1502	490	2502 246 Design issue fee		1503	660	2503 330 Plant issue fee		1460	130	1460 130 Petitions to the Commissioner		1504	300	1504 300 Publication fee for early, voluntary, or normal publication		1806	180	1806 180 Submission of Information Disclosure Stmt		8021	40	8021 40 Recording each patent assignment per property (times number of properties)		1809	790	2809 395 Filing a submission after final rejection (37 CFR 1.129(a))		1810	790	2810 395 For each additional invention to be examined (37 CFR 1.129(b))		1801	790	2801 395 Request for Continued Examination (RCE)		1802	900	1802 900 Request for expedited examination of a design application	
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																				
1051	130	2051 65 Surcharge - late filing fee or oath																																																																																																																					
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet																																																																																																																					
1053	130	1053 130 Non-English specification																																																																																																																					
1812	2,520	1812 2,520 For filing a request for ex parte reexamination																																																																																																																					
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action																																																																																																																					
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action																																																																																																																					
1261	110	2251 55 Extension for reply within first month																																																																																																																					
1252	430	2252 215 Extension for reply within second month																																																																																																																					
1253	980	2253 490 Extension for reply within third month																																																																																																																					
1254	1,530	2254 765 Extension for reply within fourth month																																																																																																																					
1255	2,080	2255 1,040 Extension for reply within fifth month																																																																																																																					
1401	340	2401 170 Notice of Appeal																																																																																																																					
1402	340	2402 170 Filing a brief in support of an appeal																																																																																																																					
1403	300	2403 160 Request for oral hearing																																																																																																																					
1451	1,510	1451 1,510 Petition to institute a public use proceeding																																																																																																																					
1452	500	2452 250 Petition to revive - unavoidable	500																																																																																																																				
1453	1,370	2453 685 Petition to revive - unintentional																																																																																																																					
1501	1400	2501 700 Utility issue fee (or reissue)																																																																																																																					
1502	490	2502 246 Design issue fee																																																																																																																					
1503	660	2503 330 Plant issue fee																																																																																																																					
1460	130	1460 130 Petitions to the Commissioner																																																																																																																					
1504	300	1504 300 Publication fee for early, voluntary, or normal publication																																																																																																																					
1806	180	1806 180 Submission of Information Disclosure Stmt																																																																																																																					
8021	40	8021 40 Recording each patent assignment per property (times number of properties)																																																																																																																					
1809	790	2809 395 Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																					
1810	790	2810 395 For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																					
1801	790	2801 395 Request for Continued Examination (RCE)																																																																																																																					
1802	900	1802 900 Request for expedited examination of a design application																																																																																																																					
<b>1. BASIC FILING FEE</b> <table border="1" style="width: 100%; font-size: 0.8em;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001</td><td>790</td><td>2001 365 Utility filing fee</td><td></td></tr> <tr><td>1002</td><td>350</td><td>2002 175 Design filing fee</td><td></td></tr> <tr><td>1003</td><td>550</td><td>2003 275 Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>790</td><td>2004 395 Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>160</td><td>2005 80 Provisional filing fee</td><td></td></tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1001	790	2001 365 Utility filing fee		1002	350	2002 175 Design filing fee		1003	550	2003 275 Plant filing fee		1004	790	2004 395 Reissue filing fee		1005	160	2005 80 Provisional filing fee		<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b> <table border="1" style="width: 100%; font-size: 0.8em;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202 9 Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>88</td><td>2201 44 Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>300</td><td>2203 150 Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1204</td><td>88</td><td>2204 44 **Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205</td><td>18</td><td>2205 9 **Reissue claims in excess of 20 and over original patent</td><td></td></tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1202	18	2202 9 Claims in excess of 20		1201	88	2201 44 Independent claims in excess of 3		1203	300	2203 150 Multiple dependent claim, if not paid		1204	88	2204 44 **Reissue independent claims over original patent		1205	18	2205 9 **Reissue claims in excess of 20 and over original patent																																																																					
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																				
1001	790	2001 365 Utility filing fee																																																																																																																					
1002	350	2002 175 Design filing fee																																																																																																																					
1003	550	2003 275 Plant filing fee																																																																																																																					
1004	790	2004 395 Reissue filing fee																																																																																																																					
1005	160	2005 80 Provisional filing fee																																																																																																																					
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																				
1202	18	2202 9 Claims in excess of 20																																																																																																																					
1201	88	2201 44 Independent claims in excess of 3																																																																																																																					
1203	300	2203 150 Multiple dependent claim, if not paid																																																																																																																					
1204	88	2204 44 **Reissue independent claims over original patent																																																																																																																					
1205	18	2205 9 **Reissue claims in excess of 20 and over original patent																																																																																																																					
SUBTOTAL (1) (\$)		0																																																																																																																					
SUBTOTAL (2) (\$)		0																																																																																																																					
*or number previously paid, if greater; For Reissues, see above		Other fee (specify):																																																																																																																					
		SUBTOTAL (3) (\$)																																																																																																																					
		500																																																																																																																					
SUBMITTED BY		Complete if applicable																																																																																																																					
Name (Print/Type)	Randy W Lacasse	Registration No. (Attorney/Agent)	34368																																																																																																																				
Signature		Telephone	(703) 838-7683																																																																																																																				
		Date	2/2/05																																																																																																																				

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**RECEIVED  
CENTRAL FAX CENTER**

**FEB 02 2005**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**IN RE APPLICATION OF: Kovar et al.**

**Our File: 10-342**

**Serial No: 09/898,379**

**Group: 2633**

**Filed: 07/05/2001**

**Examiner: Dzung D. Tran**

**For: Optical Modulator and Method for Polarization Bit Interleaving**

**Confirmation No: 3611**

**February 02, 2005**

**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
U.S.A.**

**AMENDMENT**

Dear Sir:

In response to the Office Action of June 7, 2004, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks** begin on page 6 of this paper.